5/16/73

Dear Sol,

Were it not that Lil is dozing after falling this morning (no serious damage), I'd not be answering letters at 4:30 on a beautiful, sunny day. We are trying to grow some of our own food on a once-woody spot I cleared this winter and after a week's absence it needs work or it will again go wild. Of all the things I should be doing, that is where I'd prefer to be. However, because her knee is still and swollen, I will not chance her coming for me if the phone rings.

And were it not for one special attraction in your letter of the 11th, I'd not pick it first of quite a stack, including some unanswered from when I was away.

It has been my experience that some of the brighter of those who to me are kids, the generation of young adults, and most of my peers, are quite inflexible in their beliefs and attitudes. I find mine changing with new knowledge and understanding, but I also find, especially among those working in the assassinations fields, that original concepts (often rabid or insane dreams) never alter.

There are really two points at which you display a flexibility of mind commendable at 60, where you mention my work in passing and where you refer to lawyers. It is not because you ever indicated that you believe all lawyers are ak boon to mankind, for you didn't, but because of youb then attitude toward some whose names I'll not here repeat that I find your comment about "oversights" welcome. I have never in recent years ever mentioned the name of a lawyer not prominent to you. You were inflexible when I made passing reference to the deplorable record of a man I know must have the reputation of being as decent as he is competent ( and in most affairs I am confident was quite decent). My comment was based upon fact and more, his own words and work that he expected to be a perpetual secret. Yourx strong reaction was probably from personal knowledge of the man as well as knowledge of his public reputation. It troubled me that you did not consider fact relevant and put more trust in reputation. It troubled me more because when we were young there was nothing your mind would not consider, and I felt that the hardening of age had set it. So, I'm gratified to know this is not the case and to have an unintended explanation in your comment on what you've learned from your new work, from reading briefs. You are now seeing what you had no occasion to see before, and your mind is open to it. As recently as a year ago, despite the shabby treatment we got from him, I'd never have expected that an Edward Bennett Williams would let the statute run on us, as the government alleges and he does not deny. If only to prevent a negligence suit against himself.

My handwriting is much worse than yours, for the same reason and because I had to start writing too fast when young, as a reporter. In school I actually won a penmanship honor. My thinking races faster than my typing, faster than dictating, and in writing long and complicated things this is a serious problem. I forget. This is getting worse not only from years and troubles but because I am trying to hold an enormous amount of fact in mind. In an effort to overcome this, when I could no longer delay a motor tune on the old car and something came to mind, I took the typewriter and paper to the garage with me and wrote 1,500-2,000 words during the servicing. Ordinarily I would have read while waiting. Today I made a good start in a chapter and to the degree I got on paper what I did, eliminated that much chance of forgetting.

I've decided, by the way, to make a start on a Watergate book. The prospects are not good. The mess requires a context, and that dims prospects more. But there is no indication of any responsible work with a responsible context. And I do have what has not been published on the mess and some of the prime messers. From what little inquiry Ixx could make while trying to arrange for the collection of some of what is due us, it seems there is a commercial fear that Bantam will cream the immediate market. The two Post reporters are under hardback contract and are busy with their daily work. Bantam has Clark Mollenhoff under contract. If he gives up his daily work, for his own paper and for his syndicated column, he can be ready pretty fast if he is not afraid of being over-

taken by events not yet upon us. (With the doctrine of the writing I have in mind, not even a forcible takeover of the government would date the work.)

Here a magazine salesman's knock awakened Lil. I steadied her on her aching knees, nowx showing the discolorations, into a hot tub, and she soaks. So I can do noisier in-the-house things that needdoing.

Your perceptions on publishing crookedness are precisely correct, except where they have their own accountants. These then became an almost indispensible element in the prevailing and pervading crookedness. I seem to have made a good beginning on handling my own legal problems on the last book, on the King assassination. If they are not just deceiving me, it will now work out. I am aware that deceit is possible. The long silence of the lawyer to whom I'd given the Dell case is explained by his disbarrment. The friend who had referred me to him, a publishing lawyer not practising, is seeing if a settlement can be negotiated. The immediate vibes are slightly encouraging. A beginning.

I have to send John Shattuck, who is interested, a memo on federal violations of my rights to privacy and under the first amendment. It takes an Ellsberg case for people to be willing to believe I'm not paranoid even when, as is the case, I've had the proof for years. I have carbons of some of the federal surveillance on my public appearances. And I've had telephone conversations repeated faithfully, with correct identification of the phone I used.

If I didn't tell you, you have several of my all successful suits vs DJ confused. It is that for the confiscated public record of the Ray extradition in which Kleindienst lied so and repeated it after I gave him the proof I knew he was lying and he even then repeated the lie. It is in the suit the reporting of which you have just seen that that DJ and its judicial apologist, Judge Danaher, hoist themselves on their own petard over this, a project to which I added unstinting support. As of yesterday, we had heard nothing about the request for an en banc rehearing. But I am delighted that as a result of their own in-court crookedness and Danaher's departure from the rôle of a judge, DJ was forced to certify that the then Attorney General was indeed a repetitious liar. By this time I really have no feeling about a precedent-setting case partly because it is not my first and partly because DJ will stall in every possible way before going to the upreme Court. They don't dare comply with the remand if it can be avoided, don t dare give me what I seek, and I've picked this case with care because it is not immune under the exemptions. Meanwhile, they have the capability of contriving a case they can rush ahead for special interpretation of the exemption involved. However, when we get to the Supreme Court, they'll find I still have a few surprizes in reserve! Believe me, I do!

You know I speak for my old soak(er) in wishing you all our best and in hoping that some pleasant way we can get together soon.

Sincerely,

And thanks for the typing.